IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI. REVISION APPLICATION NO. 241 OF 1992

IN
S.C.NO.14/1987 IN C.R. NO.19/1985

Pradeep Chandrakant Dhairyawan ..Petitioner.

V/s.
The State of Maharashtra ..Respondent.

Shri M.S. Mohite for the Petitioner.
Shri D.R. More, APP for Respondent.

WITH

CRIMINAL WRIT PETITION NO. 1286 OF 1992

Chandravadan Shantilal Gandhi .. Petitioner.

V/s.
State of Maharashtra & Anr. .. Respondents.

Shri M.D. Angal for the Petitioner.
Shri D.R.More, APP for Respondent No.1- State.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 17, 2005

PC :-

. This common order will dispose of both the petitions. The former revision application No. 241/1992 is filed by the Architect original accused No.4 and the latter petition is filed by the original accused No.5, the owner of the plot.

2. After hearing counsel for the petitioner in both the petitions at length, as I indicated my mind, both the counsel fairly accept that the court may not record reasons which may affect the fair trial available to the petitioners herein. In other words, it is submitted that if any opinion is expressed by this court, one way or the other, that may prejudice the petitioners at the trial.

3. In the circumstances, both counsel pray that the petitioners be permitted to withdraw the respective application and petition.

4. In this peculiar circumstances, both the petitions are dismissed as withdraw with direction to the trial court to proceed with the trial being Special Case No. 14 of 1987, as expeditiously as possible.

5. Needless to observe that the trial will proceed on its own merits in accordance with law, uninfluenced by any observations made by the lower court in the impugned decision or withdrawal of the present revision application & petition respectively.

6. Ordered accordingly.

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